



## Front Country Trails Multi-Jurisdictional Task Force

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AGENDA DATE: July 11, 2007

TO: Front Country Trails Multi-Jurisdictional Task Force

FROM: Jeff Bensen, District Recreation Officer, Los Padres National Forest  
Claude Garciacelay, Park Planner, County of Santa Barbara  
Kathy Frye, Natural Areas Planner, City of Santa Barbara

SUBJECT: Resource Protection

**RECOMMENDATION:** That the FCT Multi-Jurisdictional Task Force (Task Force) receive a presentation on existing natural resources, environmental guidance and resource protection measures.

### **DISCUSSION:**

#### **Introduction**

The purpose of this staff report is to outline and review the Task Force Work Plan topic of Existing Conditions. This topic is comprised of several categories that are being covered over four consecutive months during the April, May, June and July Task Force meetings. The Existing Conditions discussion for this report includes the following categories:

- Natural Resources
- Environmental Guidance
- Resource Protection Measures

#### **Los Padres National Forest**

##### ***Natural Resources***

Plant and Animal Communities. Los Padres National Forest is 1,781,364 acres in size. The forest contains a wide range of ecosystems, from seacoast and marine habitats to redwood forests, mixed conifer forests, oak woodlands, grasslands, pinyon juniper stands, chaparral and semi-desert areas, which are home to more than 468 fish and wildlife species.

The location of Los Padres, at the juncture of at least three major ecological regions and the marine coastline, has resulted in the forest having the largest number of threatened, endangered or sensitive species of wildlife within the National Forests of California.

The forest provides habitat to over 46 sensitive, threatened or endangered species, such as the California spotted owl, southwestern pond turtle, two-stripe garter snake, red-legged frog, arroyo southwestern toad, and south and central coast steelhead.

The forest participates in a number of interagency recovery programs for several species. The bald eagle and peregrine falcon programs have been very successful to the point where these species are in the process of down listing or delisting altogether.

Reintroduction of captively reared California condors is one of the more active programs currently operating on the forest. There are 57 California condors in the wild in Los Padres National Forest, as of August 2005, where in March 2004 there were 39.

The area of Los Padres that contains the front country trails (from the Santa Barbara, Goleta, and Montecito to the ridge of the Santa Ynez Mountains) contains 57,161 acres. The front country trails area does not contain habitat for all the sensitive species in the forest. However, the potential impact to the listed animal species in the front country trails area of Los Padres National Forest must be evaluated and the habitat protected when trails are constructed or maintained.

Cultural Resources. Los Padres National Forest has prehistoric and historic Native American sites, properties related to the practice of Indian and non-Indian religion, historic properties and districts. The forest contains the highest density of prehistoric sites of any forest in Region 5. The forest also contains some of the most extraordinary native rock art to be found anywhere in the world. Created by the Chumash Indians, these complex and intriguing pictographs are found on numerous rock outcroppings and in caves. Forest archeologists work closely with the academic community, volunteer site-stewards and local Native American groups to inventory, study, interpret and protect the sites.

All activities which involve ground disturbance require the evaluation of the activity for impacts to cultural and archaeological resources. All trail construction, maintenance and structures (signs and kiosks) must comply with this direction. Additionally, consultation with Native American tribes may be required to identify cultural concerns the Native Americans may have related to the project. No activity can occur that has a significant effect on these resources

Visual Resources. Los Padres National Forest provides an important visual resource for the forest and the Santa Barbara area. Los Padres National Forest presents a rugged, wild-appearing highly scenic backdrop and is one of the most picturesque of national forest locations. From the ridgeline of the Santa Ynez Mountains, dramatic southern views of the ocean, Channel Islands and the coastal communities can be found. Views north of the ridgeline include the Santa Ynez valley, Lake Cachuma, and interior mountainous wilderness.

Los Padres Forest Plan provides direction to manage the visual resources of the Santa Barbara front country as a natural appearing landscape that functions as a scenic backdrop for the urban coastal communities. Management activities in the front country are directed to meet the Scenic Integrity Objectives, as directed in the forest plan. This direction requires any trail construction be designed and implemented to maintain the visual integrity of the area and not degrade the visual resources in the area. This is typically accomplished during the project design and NEPA evaluation phase of a project.

### ***Environmental Guidance***

There are a number of relevant statutes, regulations, executive orders and memorandum of agreements, which provide management direction for the Los Padres National Forest. Together they provide overarching management direction of the Los Padres Land Management Plan. The following is a list of the more significant statutes which provide direction for the protection of the environment and cultural resources.

National Environmental Policy Act of 1970 (NEPA). NEPA directs all federal agencies to consider and report the potential environmental impacts of proposed federal actions, and establishes the Council on Environmental Quality. The Act also states that it is the continuing responsibility of the federal government to use all practicable means to assure aesthetically and cultural pleasing surroundings for all Americans.

Endangered Species Act of 1973 (ESA). The ESA authorizes the determination and listing of species as endangered and threatened; prohibits unauthorized taking, possession, sale, and transport of endangered species. The ESA requires federal agencies to insure that any action authorized, funded or carried out by them is not likely to jeopardize the continued existence of listed species or modify their critical habitat.

Clean Water Act 1948 revised and reenacted by Water Quality Act of 1987 (CWA). The CWA was passed to maintain and restore the chemical, physical, and biological integrity of the nation's waters. It requires compliance with state and federal pollution control measures; no degradation of instream water quality needed to support designated uses; and, the control of non-point sources of water pollution through conservation or best management practices.

Archaeological Resources Protection Act of 1979 (ARPA). The ARPA secures the protection of archaeological resources and sites on public and tribal lands and to foster increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals having access to information related to these resources. It provides civil and criminal penalties for the unauthorized excavation, removal, damage, alteration, or defacement of archaeological resources. The ARPA also authorizes the use and protection of National Forest System lands for paleontological resources associated with archeological resources.

National Historic Preservation Act of 1966 (NHPA). The NHPA directs the Federal Government to provide leadership in the administration for the National Preservation

Program in partnership with states, tribes, and local governments. It requires agencies to take into account the effects of management activities on significant heritage resources. It also established the National Register of Historic Places, State Historic Preservation Officer, and the Advisory Council on Historic Preservation.

Antiquities Act of 1906. The Antiquities Act has the purpose of protecting any historic or prehistoric ruin or monument, or any object of antiquity on federal lands. It authorizes the president to designate historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest as national monuments; regulates public archaeological activities; and provides penalties for people who damage these sites and ruins. The act includes both heritage resources and paleontological resources.

Trail planning and management activities must incorporate and meet the requirements of these statutes. Typically these statutes are met in the NEPA and planning phase of a project or project proposal where a shortfall of meeting these laws or a conflict would be identified. On going trail maintenance is inclusive in this requirement. Trail maintenance must include an appropriate level of NEPA evaluation. The NEPA documentation may be a Categorical Exclusion, Environmental Analysis, or an Environmental Impact Statement. Categorical Exclusions are the typical level of NEPA utilized for trail maintenance projects.

Los Padres National Forest developed Trail Maintenance Protocols to standardize the NEPA evaluation for planning and conducting trail maintenance. The Trail Maintenance Protocols for Heritage Compliance were presented as an attachment to the February 3, 2007 Staff Report.

### ***Protection of Resources***

Protection of forest resources is required by Los Padres Forest Plan, policy, and legal statutes. All activities undertaken cannot reduce or degrade the resources of the forest. The forest trails system provides for the construction and use of trails to access and enjoy the forest while maintaining the resources. Important reasons why system trails accomplish this objective are:

- System trails are built in the desired location to meet forest plan objectives for forest access and recreational experience.
- System trail maintenance is evaluated for environmental impacts and maintenance is conducted within the parameters established through planning and NEPA.
- System trails are typically built to engineered standards for type of use, slope of grade, width, drainage, and location to maximize stability of the trail, designed and engineered to reduce required maintenance and thus lower costs.
- Correctly designed trails reduce sedimentation and damage to trails.

User created and illegal trails, which are not system trails, can create resource damage. These types of trails may not be optimally located to meet forest objectives, have grades and engineering that do not meet standards, are subject to erosion, and will not receive Forest Service maintenance. These trails may not have long term sustainability.

Fire restrictions and fuels management. The risk of wildfire in Los Padres National Forest is considerable and results from a combination of weather, vegetation, terrain and human use. Intense wildfires, fed by accumulation of dead vegetation, cause substantial resource damage and are difficult and expensive to suppress. Wildfire burned over 2.3 million acres in Los Padres National Forest since 1912, for a historic average of 25,000 acres per year. Most wildfires in the forest are human-caused, the balance are lightning-caused. The average annual wildfire occurrence has increased steadily over the last 60 years. This increase is attributed to urban encroachment, expanded recreational use of the forest, and old-age chaparral. Chaparral accounts for over 95 percent of the acres burned annually by wildfire.

Current management focuses on fire prevention, fire suppression and fuels management. Fire prevention includes law enforcement, fire closures, measures to ensure safety or special use activities and programs to educate the public on causes and effects of wildfire. The objective of fire suppression is prompt suppression of all wildfires. Fuels management consists primarily of prescribed burning and fuel break construction and maintenance.

Protecting natural resources and communities in areas with high levels of flammable fuels is a priority for the Forest Service. Several useful land management techniques are being utilized to improve forest health and provide protection to communities

Prescribed burning is used to reduce the average age and density of chaparral which results in smaller and less intense wildfires which, in turn, cause less resource damage and are less expensive to suppress.

One long standing fire management tool used by the Forest for the protection of public lands is the Fire Closure and Restriction Plan. This document is intended as a short-range guide for the implementation of fire restrictions and emergency closures. The objective of the plan is to reduce or eliminate the person-caused fire risk and associated costs and damages during critical fire danger periods. Fire restrictions imposed in Los Padres National Forest are provided in Attachment A.

## **County of Santa Barbara**

### ***Natural Resources***

The County Comprehensive Plan, Montecito Community Plan and Toro Canyon Plan contain a regional level of documentation of environmentally sensitive habitat (ESH) areas and in the case of the community and area plans include mapping of these habitats within the boundary of the study area. These habitat areas identify the existence and extent of communities such as chaparral, coastal sage scrub, oak woodlands, etc. and map these areas as well as suggest certain areas of further study as necessary with future permit review.

### ***Environmental Guidance***

As part of the permit process for new trails, California Environmental Quality Act (CEQA) review would need to be conducted on new trails. In cases where the trail is a portion of a project application for development, CEQA review would be folded into the overall review for the project. In cases where the trail is a stand alone project, CEQA would begin with an Initial Study to determine the level of CEQA documentation required. A Notice of Exemption, Negative Declaration or EIR would be prepared and processed based on the requirements for each level of review.

It is important to note that most grant programs now require that CEQA and in some cases where federal funds are involved, CEQA and federal NEPA documentation to determine the level of environmental impact. This environmental documentation is required as part of the grant application package. This step requires a substantial investment of funds by the grant applicant up front prior to knowing if the grant will be successful and the proposed project funded.

### ***Protection of Resources***

Guidelines for protection of resources can be found within County plans that provide direction for trails, mostly within urban and coastal trail and habitat interfaces. Included as an attachment to this staff report is a copy of Appendix E to the Toro Canyon Plan (Attachment B). These trail siting guidelines contain direction for planning and physical placement of trails that look to minimize the impacts of trail establishment and use on habitat areas and resources.

## **City of Santa Barbara**

### ***Natural Resources***

Vegetative communities in the Front Country Trails (FCT) area consist primarily of oak and riparian woodlands, coastal sage scrub and chaparral. The City of Santa Barbara Master Environmental Assessment (MEA; 1981) contains details regarding geology, soils, biological, water and archaeological resources, noise and air quality. More up to date information for cultural resources can be found in the MEA Guidelines for Archaeological Resources and Historic Structures and Sites (2002).

The City is in the process of updating the MEA with the most recent data available from local project, city, state and federal resources. Draft biological resources maps, prepared with the update, indicate that many of the City's federally threatened and endangered species are associated with coastal habitats and are not in the vicinity of FCT. Special status species found in the foothills/FCT area are a sub-set of what is found in LPNF and include a few special status plant species, raptors and other birds, and species associated with aquatic habitats, such as California red-legged frog, southwestern pond turtle and steelhead.

### ***Environmental Guidance***

Resource protection for trail work may be subject to the federal statutes mentioned by the USFS, with the exception of NEPA. Instead, the City would be subject to the regulations of CEQA, as stated for the County. Additionally, raptors and other bird species would be protected by the federal Migratory Bird Treaty Act of 1918 and fish may be protected by the Magnuson-Stevens Fishery Conservation and Management Act. The City and County may also be subject to regulations of the State of California including: the Fish and Game Code for protected species and waters of the state; and Health and Safety Code § 7050.5 and Public Resources Code § 5097.94, 5097.98 and 5097.99 for the protection of Native American human burials and skeletal remains.

### ***Protection of Resources***

As stated in previous staff reports, due to the urban and coastal nature of the City, the majority of City trails are associated with neighborhood and community parks, bikeways and coastal access. Specific Plans and Master Plans may include provisions for trails. Once again, these trails are primarily associated with urban areas, but may provide connection to FCT. The Santa Barbara Municipal Code Title 22, Zoning Ordinance, Chapter 28.37 PR – Park and Recreation Zone provides a definition and allowed uses for trails.

The City of Santa Barbara Fire Department (FD) implements the City Wildland Fire Plan (Plan; 2004) to protect lives, property, and natural resources threatened by wildland fire. The Plan classifies fire hazard areas into zones, with FCT being primarily in the Extreme Foothill Zone, adjacent to USFS lands. Potential fire behavior in this zone is considered extreme. The FD takes the approach of fire protection, prevention and education. Protection and prevention measures in the extreme foothill zone include vegetative fuel management to reduce accumulations of vegetation and reduce vulnerability to wildland fire. The Program Wildland Fire Plan Environmental Impact Report (EIR; 2004) provided CEQA review for the Plan. The EIR focuses on project impacts to aesthetics, biological resources, cultural resources, hazards, and public services, and identifies mitigation measures to reduce potentially significant effects, including those within the vicinity of FCT.

**ATTACHMENTS:** A) Fire restrictions imposed in Los Padres National Forest  
B) Appendix E to the Toro Canyon Plan

**SUBMITTED BY:** Jill E. Zachary, Assistant Parks and Recreation Director, City of Santa Barbara